

Affidavit of Charles W. Story

Chambers County Circuit Clerk

Ref.: U.S. District Court Middle District # CV-05-1050-T

Plaintiff: Volante Jones

I, Charles W. Story serving as Circuit Clerk of Chambers County Alabama give the following affidavit concerning the U.S. District Court suit filed by Volante Jones, against me.

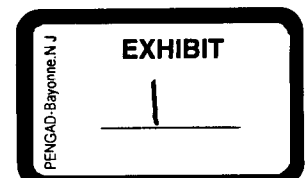
On or about December 5, 2005 I was served by U. S. Postal Service via certified mail, a civil action that had been filed in the U.S. District Court, Middle District. The action was filed by an Alabama state inmate Volante Jones. In this action Mr. Jones alleges that I, in my official capacity as Circuit Clerk, and personally, had violated his Civil Rights by not supplying him a copy of his Chambers County criminal case file.

On the date I was served I reviewed Mr. Jones' entire file. Chambers County case number is CC 1999-274. In Mr. Jones' file I found (1) one request from Mr. Jones that was stamped filed in my office on June 2, 2005. When I received that request I made a copy of Mr. Jones' file and mailed it to him at; Easterling Correctional Facility 200 Wallace Drive Clio, Alabama. When I did this I filed his request and notated that I had sent same to Mr. Jones on the inside of the file.

On June 30, 2005 I received a copy of a "Writ of Mandamus" concerning copies of Mr. Jones' case file, that Mr. Jones filed in the Alabama Court of Criminal Appeals. The Court of Criminal Appeals dismissed that Mandamus on July 1, 2005

On July 8, 2005 Mr. Jones sent me a copy of a Writ of Mandamus that he filed in the Alabama Supreme Court concerning copies of his case file. On August 2, 2005 I received a copy of where the Supreme Court dismissed that Mandamus.

As I was looking through Mr. Jones case file I saw several requests that he had attached as exhibits to his Writ of Mandamus filings. To my knowledge neither I,



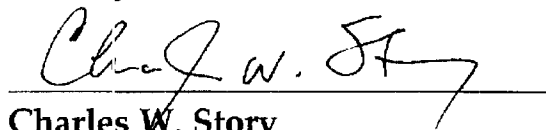
nor my office ever received these request. The first request that I received from Mr. Jones was on June 2, 2005 of which I properly processed.

More closely examining Mr. Jones' Mandamus exhibits I found the following to look suspicious to me. Exhibits in the Supreme Court Mandamus dated July 6, 2005 pages numbered 1, 3, 4, and 5 appear to be photo copied pages while page 2 appears to be an original document. I also note that Mr. Jones' signature on page 5 appeared to be original on that, a photo copied page. Mr. Jones' exhibit "A" appeared to be original handwriting but signed with a different shade of ink. This was also the case on his exhibits "B" and "C"

On Mr. Jones Mandamus to the Alabama Court of Criminal Appeals his exhibits "A" and "B" appear to be the original document and exhibit "C" appears to be a photo copy with the signature in original blue ink.

In short, Mr. Jones' Mandamus filings and exhibits contain documents that Mr. Jones claims he filed with my office but I have never seen. I do once again certify that the only request that I saw from Mr. Jones was stamped "filed", properly processed in accordance to law and rules of procedure, and placed in his criminal file.

By my signature I certify that this affidavit was made by me, Charles W. Story on January 6, 2006 and is true and correct to the best of my knowledge.



Charles W. Story

Circuit / District Court Clerk

Sworn and subscribed before me Barbara H. Teel, Notary Public, State at Large this the 6th day of January 2006 Barbara H. Teel. Notary Public

My commission expires: 2-27-08